

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII**

NATIONAL ASSOCIATION FOR GUN RIGHTS	)	Civil No. 22-cv-00404-DKW-RT
	)	
and	)	
	)	<b>DECLARATION OF CHRIS ARNET</b>
RONDELLE AYAU	)	
	)	
and	)	
	)	
JEFFREY BRYANT	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	
HOLLY SHIKADA, in her official capacity as Attorney General for the State of Hawai'i	)	
	)	
Defendant.	)	

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1. My name is Chris Arnet. I am over the age of 18 and have personal knowledge of the matters set forth in this Declaration.
  
2. I am the Digital Marketing Director of National Association for Gun Rights. I have extensive experience researching firearms statistics.
  
3. The United States Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) publishes numerous reports. One such report is its Annual Firearms Manufacturing and Export Report (“FME Report”). The ATF’s FME report provides manufacturing numbers of pistols categorized by caliber. The pistols banned by the State of Hawaii come in multiple calibers, which means that the actual banned pistol numbers are included in the general categories.
  
4. By reviewing each manufacturer’s reported data from 2015-2021 (the latest year for which statistics are available), I was able to indicate if the manufacturer made a pistol banned

under Hawaii law in each caliber for each year reported. In some cases, the entire category of pistols for a given caliber produced by a given manufacturer is comprised exclusively of banned firearms. This will be referred to herein as the “Exclusive Category.” Other manufacturers produce both banned pistols and pistols not banned by Hawaii law in the same caliber. This will be referred to herein as the “Mixed Category.” The Mixed Category contains a significant number of banned pistols, but the actual number of banned pistols can only be estimated.

5. From 2016 to 2021, the number of banned pistols produced by manufacturers in the “Exclusive Category” was 669,793, as set forth in the following table.

2016	19,010
2017	34,642
2018	82,021
2019	96,503
2020	222,859
2021	<u>214,758</u>
	669,793

6. From 2016 to 2021 the number of pistols produced by manufacturers in the “Mixed Category” was 10,988,048, as set forth in the following table.

2016	2,019,185
2017	1,466,486
2018	1,485,961
2019	997,223
2020	2,727,492
2021	<u>2,291,701</u>
	10,988,048

7. A very conservative estimate (based on industry knowledge of these manufacturers and their products) would be that five percent of the Mixed Category consists of banned pistols.

2016-2021 Exclusive	669,793
2016-2021 Mixed (5%)	<u>549,402</u>
2016-2021 Total	1,219,195

8. This is further borne out by the ATF's Factoring Criteria for Firearms with Attached Stabilizing Braces Regulatory Analysis from June 2021 ("2021 Report"). In this report, the ATF estimated the impact of its proposed pistol brace rule. Pages 32-33 of that report The ATF estimated that 3,000,000 pistol braced firearms would be affected by the pistol brace ban. 2021 Report, 32-33. Practically all pistol braced firearms would fall under Hawaii's banned pistol classification. While there are a few firearms that are braced like the Q Mini-Fix which would be excluded because of their action type, the number of banned pistols greatly outnumber them in popularity.

9. While AR-15/AR-10/AR-9-type firearms make up the largest portion of banned pistols on the market, there are many other platforms on the market that fit Hawaii's definition of banned pistols as well. Some examples would include:

#### **MP5 Variants**

- Heckler & Koch SP5, SP5K, SP5K-PDW, SP5-L, MP5 .22 LR
- Century Arms AP5, AP5-M, AP5-P
- Zenith ZF-5, ZFG-5P, ZF-5T, ZF-5K
- PTR 9 Series

#### **AK Variants**

- Century Arms AK Pistols
- AK Pistols sold at Atlantic Firearms
- AK Pistols sold at Impact Guns
- Palmetto State AK Pistols

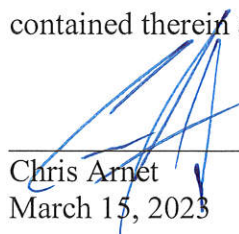
#### **Other banned pistols**

- Keltec's P50, PLR16, & PL22
- Palmetto State JAKYL
- Sig Sauer MPX
- Sig Sauer MCX
- Ruger PC Charger
- CZ Skorpion & Bren Series
- POF Phoenix
- IMI Uzi Pro
- KRISS Vector Series

- LWRC SMG 45

10. In conclusion, a very conservative estimate places the number of Hawaii banned firearms manufactured in the United States from 2016-2021 to well over 1 million. The ATF's pistol brace estimate of 3 million illustrates the popularity of the banned pistols. Finally, the pistols banned by Hawaii are a rapidly growing market segment and are increasingly popular as the self-defense weapon of choice for many gun owners – a trend that is likely to continue in 2023 and beyond according to market indicators.

I, Chris Arnet, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that I have reviewed the foregoing, that I am competent to testify in this matter, and that the facts contained therein are true and correct



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Chris Arnet  
March 15, 2023